

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

ZACHARY KNOTTS,

Plaintiff,

v.

CIVIL ACTION NO. 2:24-cv-00716

WVU MEDICINE, et al.,

Defendant.

MEMORANDUM OPINION AND ORDER

Pending before the Court is plaintiff Zachary Knotts's ("Plaintiff") complaint, (ECF No. 1), and his application to proceed *in forma pauperis*. (ECF No. 3.) By Standing Order, this action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings and a recommendation ("PF&R"). (ECF No. 2.) Magistrate Judge Tinsley filed his PF&R on March 11, 2025, (ECF No. 5), recommending that this Court dismiss the complaint for failing to meet the screening requirements of 28 U.S.C. § 1915(e)(2)(B), dismiss the application to proceed *in forma pauperis* as moot, and to remove the case from the Court's active docket. (ECF No. 5 at 5–6.)

The Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of de novo review and the Petitioner's right to appeal this Court's Order. 28 U.S.C. § 636(b)(1); *see also Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir.

1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). In addition, this Court need not conduct a de novo review when a party “makes general and conclusory objections that do not direct the Court to a specific error in the magistrate’s proposed findings and recommendations.” *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982). Objections to the PF&R were due on March 28, 2025. To date, no objections have been filed.

Accordingly, the Court **ADOPTS** the PF&R (ECF No. 5), **DISMISSES** the complaint for failure to meet the screening requirements of 28 U.S.C. § 1915(e)(2)(B), (ECF No. 1), **DENIES AS MOOT** the application to proceed *in forma pauperis*, (ECF No. 3), and **DISMISSES** this action from the Court’s docket.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: April 17, 2025



THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE